



**SUPREME COURT OF CALIFORNIA
ORAL ARGUMENT CALENDAR
SACRAMENTO SESSION
TUESDAY, FEBRUARY 9, 2016**

The following cases are placed upon the calendar of the Supreme Court for oral argument at its courtroom in the Stanley Mosk Library and Courts Building, 914 Capitol Mall, Sacramento, California, on February 9, 2016.

TUESDAY, FEBRUARY 9, 2016—10:00 A.M.

- (1) Flores (Catherine) v. Presbyterian Intercommunity Hospital, S209836
- (2) John (Aleyamma) v. Superior Court of Los Angeles County et al.
(Sylvia Chan, Real Party in Interest), S222726

1:30 P.M.

- (3) People v. Cortez (Norma Lilian) et al., S211915
- (4) People v. Townsel (Anthony Letrice) [Automatic Appeal], S022998

CANTIL-SAKAUYE

Chief Justice

If exhibits are to be transmitted to this court, counsel must apply to the court for permission. (See Cal. Rules of Court, rule 8.224(c).)

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The following case summaries are issued to inform the public about cases that the California Supreme Court has scheduled for oral argument and of their general subject matter. In most instances, the descriptions set out below are reproduced from the original news release issued when review in each of these matters was granted and are provided for the convenience of the public. The descriptions do not necessarily reflect the view of the court or define the specific issues that will be addressed by the court.

TUESDAY, FEBRUARY 9, 2016—10:00 A.M.

(1) *Flores (Catherine) v. Presbyterian Intercommunity Hospital, S209836*

#13-45 Flores (Catherine) v. Presbyterian Intercommunity Hospital, S209836.

(B235409; 213 Cal.App.4th 1386; Superior Court of Los Angeles County; VC058225.)

Petition for review after the Court of Appeal reversed an order of dismissal of a civil action. This case presents the following issues: (1) Does the one-year statute of limitations for claims under the Medical Injury Compensation Act (Code Civil Proc., § 340.5) or the two-year statute of limitations for ordinary negligence (Code Civil Proc., § 335.1) govern an action for premises liability against a hospital based on negligent maintenance of hospital equipment? (2) Did the injury in this case arise out of “professional negligence,” as that term is used in section 340.5, or ordinary negligence?

(2) *John (Aleyamma) v. Superior Court of Los Angeles County et al. (Sylvia Chan, Real Party in Interest), S222726*

#15-09 John (Aleyamma) v. Superior Court of Los Angeles County et al. (Sylvia Chan, Real Party in Interest), S222726. (B256604; 231 Cal.App.4th 347; Superior Court of Los Angeles County; BV030258.) Petition for review after the Court of Appeal granted a petition for peremptory writ of mandate. This case presents the following issue: Must a defendant who has been declared a vexatious litigant and is subject to a prefiling order (Code Civ. Proc., § 391.7, subd. (a)) obtain leave of the presiding judge or justice before filing an appeal from an adverse judgment?

1:30 P.M.

(3) *People v. Cortez (Norma Lilian) et al., S211915*

#13-81 *People v. Cortez (Norma Lilian) et al., S211915.* (B233833; nonpublished opinion; Superior Court of Los Angeles County; BA345971.) Petition for review after the Court of Appeal affirmed and reversed judgments of conviction of criminal offenses. This case presents the following issue: Did the Court of Appeal err by reversing the conviction of defendant Cortez due to error in admitting a statement made by defendant Bernal to his nephew, error in instructing the jury with CALCRIM No. 361, and prosecutorial misconduct?

(4) *People v. Townsel (Anthony Letrice), S022998* [Automatic Appeal]

This matter is an automatic appeal from a judgment of death.